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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

LILLYTH QUILLAN,)	Case No. 3:15-cv-00989-EMC
Plaintiff,)	
vs.)	STIPULATION FOR FILING
)	FIRST AMENDED COMPLAINT
CIGNA HEALTHCARE OF)	AND CONTINUING CASE
CALIFORNIA, INC.,)	MANAGEMENT CONFERENCE
Defendant.)	[PROPOSED] ORDER

Plaintiff, Lillyth Quillan and Defendant Cigna Healthcare of California, Inc. (“Cigna”), through their respective counsel of record, hereby stipulate to the following:

1. This lawsuit, which is governed by the Employee Retirement Income Security Act of 1974, 29 U.S.C. §§ 1001 *et seq.* (“ERISA”) involves Plaintiff’s claims for recovery of denied health benefits;
2. After cooperative discussions between counsel, it has been determined that the ERISA Plan responsible for paying benefits is self-funded rather than

insured. As such the current Defendant, Cigna, only acted as the administrator for the Plan, and is not the proper defendant here;

3. The parties to this lawsuit therefore stipulate to the filing of the First Amended Complaint, which is attached to this Stipulation as Exhibit A. This First Amended Complaint removes Cigna as the defendant, and adds the Visa Inc. Cigna Network POS Plan (the "Visa Plan");
4. The First Amended Complaint will have to be served on the Visa Plan, and Cigna's present counsel is uncertain whether he will be retained to represent the Visa Plan. As such, the Parties submit that it would be prudent to continue the Case Management Conference, currently set for November 24, 2015, for four weeks to allow for new counsel to appear and become sufficiently familiar with this matter to participate in the CMC.

It is So Stipulated

DATED: November 16, 2015
KANTOR & KANTOR, LLP
LAW OFFICES OF RUSSELL G.
PETTI

DATED: November 16, 2015

OGLETREE, DEAKINS, NASH,
SMOAK & STEWART, P.C.

BY: S/Russell G. Petti
Russell G. Petti
Attorney for Plaintiff
Lillyth Quillan

BY: S/Sean P. Nalty
Sean P. Nalty
Attorney for Defendant
Cigna Healthcare of California,
Inc.

~~PROPOSED~~ ORDER

PURSUANT TO THE STIPULATION OF THE PARTIES and for Good Cause shown, the following is hereby Ordered:

1. That the First Amended Complaint attached to this Stipulation as Exhibit A is hereby filed; and

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1 2. The Case Management Conference currently set for November 24, 2015 is
2 ~~reset for December __, 2015~~ ^{January 14, 2016} at ~~9:30am~~. The Parties are further Ordered to
3 file a Case Management Statement no later than seven days prior to the new
4 Case Management Conference date.

5 **IT IS SO ORDERED**

6 Date: November __, 2015

7
8
9 The Honorable
United States District Judge

